

Medvin & Elberg
ATTORNEYS AT LAW

PHILIP ELBERG*
ALAN Y. MEDVIN**

ONE GATEWAY CENTER
NEWARK, NJ 07102
(973) 642-1300

FAX NO. (973) 642-8613

*Member N.Y., N.J. Bar
**Certified by the Supreme Court of
New Jersey as a Civil Trial Attorney

July 5, 2011

Honorable Mark Falk, U.S.M.J.
United States District Court
U.S. Post Office and Courthouse, Room 457
One Federal Square
Newark, New Jersey 07102

RE: NXIVM v. The Ross Institute, et al.
Docket No. 06-cv-01051 (DMC) (MF)

Dear Judge Falk:

This letter is written with a request that you resolve the issues raised by my June 14 letter before I am compelled to agree to another date for Ms. Bouchey's deposition. I will not repeat the contents of that letter but I understand that it was received after Your Honor entered a discovery order of the same date.

I have now been notified that Mr. McGuire and Mr. Crockett are unavailable to continue Ms. Bouchey's deposition until August. It is what I expected but I am concerned that even if I agree to a date that late this will not end for my client or for me because the telephone records issue will still be unresolved.

In addition I am hopeful that having reviewed my letter, having become aware of the service of an additional subpoena in defiance of your rulings and having had the opportunity to review the April 18th deposition, you will decide to simply end this at this time.

Respectfully submitted,

MEDVIN & ELBERG



BY: PHILIP ELBERG

PE:pl

Cc: All Counsel